

# Exhibit A



Sarah Schuster <sschuster@gilbertlitigators.com>

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## 568 Litigation: Global M&C Discussions

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**Ted Normand** <tnormand@fnf.law>

Fri, Dec 2, 2022 at 12:05 PM

To: "Kirkpatrick, Sarah" <SKirkpatrick@wc.com>, Robert Gilbert <rgilbert@gilbertlitigators.com>, 568 Litigation <568\_Litigation@fnf.law>

Cc: "Carbone\_Defs\_Service@listserv.whitecase.com" <Carbone\_Defs\_Service@listserv.whitecase.com>

Sarah –

We have three main points to make regarding your letter:

First, in numerous respects, based on our detailed notes, the letter is not an accurate accounting of the meet-and-confers at issue. It contains misstatements and mischaracterizations, and it overlooks important shades of meaning in our positions.

Second, if the document was meant to serve as something on which the parties could agree for purposes of the Joint Status Report (JSR) due today, it was sent too close in time to the submission of the JSR to serve that purpose. It was also sent too close in time to the JSR for us to respond in detail, and explain the many inaccuracies in the letter, before the JSR has to be filed today.

Third, if Defendants mean to cite the letter in their portion of the JSR for the proposition that it is an accurate accounting of the meet-and-confers at issue, then we will state in our portion of the JSR that the letter is inaccurate in numerous respects, as noted, and we will explain to the Court that we will respond fully to your letter early next week and propose to submit our responsive letter to the Court.

Ted

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